

ness, bearing down or perversion incident to life change, biliousness, and Spanish influenza, when, in fact and in truth, it was not.

On July 31, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

8664. Misbranding of Pulmo Oil Compound Emulsion for the Lungs. U. S. * * * v. 13 Bottles of Pulmo Oil Compound Emulsion for the Lungs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12386. I. S. No. 3405-r. S. No. W-601.)

On April 30, 1920, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 13 bottles of Pulmo Oil Compound Emulsion for the Lungs, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Callaban Chemical Co., Inc., New Orleans, La., January 3, 1920, and transported from the State of Louisiana into the State of Washington, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of sperm oil containing a small amount of methyl salicylate and alcohol.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing in the labeling, regarding the curative and therapeutic effect thereof, to wit, (carton and bottle) "Pulmo * * * for the lungs * * * A valuable remedy for tuberculosis and all pulmonary affections * * * Its immediate results are seen in freer breathing, improved appetite and strengthened vitality * * * Greatly improved appetite and increase of flesh follow use * * * Remedy for tuberculosis, hemorrhages, asthma and pulmonary affections * * *," (circular) "Pulmo a high grade remedy for * * * the lungs * * * regular use will * * * improve the appetite and build up those suffering from pulmonary diseases. Pulmo has helped others suffering from pulmonary and bronchial affections, it will help you * * *," were false and fraudulent since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On July 15, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8665. Misbranding of black, dried grapes. U. S. * * * v. 395 Boxes of Black, Dried Grapes. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 12417. I. S. No. 9901-r. S. No. C-1937.)

On May 14, 1920, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 395 boxes of black, dried grapes, at Chicago, Ill., alleging that the article had been shipped by the United Brokerage Co., Portland, Oreg., January 23, 1920, and transported from the State of Oregon into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part, "California Dried Grapes Packed by California Packing Corporation, San Francisco, Cal.," "Dried Grapes Packed by Chaddock & Co., Fresno, Cal.," and "25 lbs. net."